



TEXAS ASSOCIATION OF REALTORS® SELLER'S DISCLOSURE NOTICE

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Section 5.008, Property Code requires a seller of residential property of not more than one dwelling unit to deliver a Seller's Disclosure Notice to a buyer on or before the effective date of a contract. This form complies with and contains additional disclosures which exceed the minimum disclosures required by the Code.

1077 CR 316

CONCERNING THE PROPERTY AT

Lexington, TX 78947

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE BUYER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER, SELLER'S AGENTS, OR ANY OTHER AGENT.

Seller ☒ is ☐ is not occupying the Property. If unoccupied (by Seller), how long since Seller has occupied the Property? ☐ or ☐ never occupied the Property

Section 1. The Property has the items marked below: (Mark Yes (Y), No (N), or Unknown (U).)

This notice does not establish the items to be conveyed. The contract will determine which items will & will not convey.

Item	Y	N	U
Cable TV Wiring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide Det.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ceiling Fans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cooktop	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dishwasher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emergency Escape Ladder(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Exhaust Fans <i>2/1200</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fences	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Detection Equip.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
French Drain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gas Fixtures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural Gas Lines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Item	Y	N	U
Liquid Propane Gas:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
-LP Community (Captive)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
-LP on Property	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hot Tub	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Intercom System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Microwave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outdoor Grill	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patio/Decking	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plumbing System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool <i>above ground</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool Equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool Maint. Accessories	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool Heater	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Item	Y	N	U
Pump: <input type="checkbox"/> sump <input type="checkbox"/> grinder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rain Gutters	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Range/Stove <i>gas</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roof/Attic Vents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sauna	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Smoke Detector	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smoke Detector - Hearing Impaired	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Spa	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trash Compactor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TV Antenna	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Washer/Dryer Hookup	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Window Screens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Sewer System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Item	Y	N	U	Additional Information
Central A/C	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>1</u>
Evaporative Coolers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	number of units: _____
Wall/Window AC Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	number of units: _____
Attic Fan(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	if yes, describe: _____
Central Heat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> electric <input checked="" type="checkbox"/> gas number of units: <u>1</u>
Other Heat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	if yes, describe: _____
Oven	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	number of ovens: _____ <input type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: _____
Fireplace & Chimney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> wood <input type="checkbox"/> gas logs <input type="checkbox"/> mock <input type="checkbox"/> other: _____
Carport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> attached <input type="checkbox"/> not attached
Garage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> attached <input type="checkbox"/> not attached
Garage Door Openers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	number of units: <u>1</u> number of remotes: <u>1</u>
Satellite Dish & Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input checked="" type="checkbox"/> leased from <u>Dish Network</u>
Security System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input type="checkbox"/> leased from _____
Water Heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: _____ number of units: _____
Water Softener	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input type="checkbox"/> leased from _____
Underground Lawn Sprinkler	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> automatic <input type="checkbox"/> manual areas covered: _____
Septic / On-Site Sewer Facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	if yes, attach Information About On-Site Sewer Facility (TAR-1407)

(TAR-1406) 9-01-11

Initialed by: Seller: C.S., MA and Buyer: _____

Page 1 of 5

Concerning the Property at Lexington, TX 78947Water supply provided by: ☐ city ☐ well ☐ MUD ☒ co-op ☐ unknown ☐ other: _____Was the Property built before 1978? ☒ yes ☐ no ☐ unknown

(If yes, complete, sign, and attach TAR-1906 concerning lead-based paint hazards).

Roof Type: Composition Age: approx 10 years (approximate)

Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)?

☐ yes ☐ no ☒ unknownAre you (Seller) aware of any of the items listed in this Section 1 that are not in working condition, that have defects, or are need of repair? ☐ yes ☒ no If yes, describe (attach additional sheets if necessary): _____**Section 2. Are you (Seller) aware of any defects or malfunctions in any of the following?: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)**

Item	Y	N	Item	Y	N	Item	Y	N
Basement		<input checked="" type="checkbox"/>	Floors		<input checked="" type="checkbox"/>	Sidewalks		<input checked="" type="checkbox"/>
Ceilings		<input checked="" type="checkbox"/>	Foundation / Slab(s)		<input checked="" type="checkbox"/>	Walls / Fences		<input checked="" type="checkbox"/>
Doors		<input checked="" type="checkbox"/>	Interior Walls		<input checked="" type="checkbox"/>	Windows		<input checked="" type="checkbox"/>
Driveways		<input checked="" type="checkbox"/>	Lighting Fixtures		<input checked="" type="checkbox"/>	Other Structural Components		<input checked="" type="checkbox"/>
Electrical Systems		<input checked="" type="checkbox"/>	Plumbing Systems		<input checked="" type="checkbox"/>			
Exterior Walls		<input checked="" type="checkbox"/>	Roof		<input checked="" type="checkbox"/>			

If the answer to any of the items in Section 2 is yes, explain (attach additional sheets if necessary): _____

Fluorescent lighting above trim around wall in family room is not operable**Section 3. Are you (Seller) aware of any of the following conditions: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)**

Condition	Y	N	Condition	Y	N
Aluminum Wiring		<input checked="" type="checkbox"/>	Previous Foundation Repairs		<input checked="" type="checkbox"/>
Asbestos Components		<input checked="" type="checkbox"/>	Previous Roof Repairs		<input checked="" type="checkbox"/>
Diseased Trees: <input type="checkbox"/> oak wilt <input type="checkbox"/> _____		<input checked="" type="checkbox"/>	Other Structural Repairs		<input checked="" type="checkbox"/>
Endangered Species/Habitat on Property		<input checked="" type="checkbox"/>	Radon Gas		<input checked="" type="checkbox"/>
Fault Lines		<input checked="" type="checkbox"/>	Settling		<input checked="" type="checkbox"/>
Hazardous or Toxic Waste		<input checked="" type="checkbox"/>	Soil Movement		<input checked="" type="checkbox"/>
Improper Drainage		<input checked="" type="checkbox"/>	Subsurface Structure or Pits		<input checked="" type="checkbox"/>
Intermittent or Weather Springs		<input checked="" type="checkbox"/>	Underground Storage Tanks		<input checked="" type="checkbox"/>
Landfill		<input checked="" type="checkbox"/>	Unplatted Easements		<input checked="" type="checkbox"/>
Lead-Based Paint or Lead-Based Pt. Hazards		<input checked="" type="checkbox"/>	Unrecorded Easements		<input checked="" type="checkbox"/>
Encroachments onto the Property		<input checked="" type="checkbox"/>	Urea-formaldehyde Insulation		<input checked="" type="checkbox"/>
Improvements encroaching on others' property		<input checked="" type="checkbox"/>	Water Penetration		<input checked="" type="checkbox"/>
Located in 100-year Floodplain		<input checked="" type="checkbox"/>	Wetlands on Property		<input checked="" type="checkbox"/>
Located in Floodway		<input checked="" type="checkbox"/>	Wood Rot		<input checked="" type="checkbox"/>
Present Flood Ins. Coverage (If yes, attach TAR-1414)		<input checked="" type="checkbox"/>	Active infestation of termites or other wood destroying insects (WDI)		<input checked="" type="checkbox"/>
Previous Flooding into the Structures		<input checked="" type="checkbox"/>	Previous treatment for termites or WDI	<input checked="" type="checkbox"/>	
Previous Flooding onto the Property		<input checked="" type="checkbox"/>	Previous termite or WDI damage repaired		<input checked="" type="checkbox"/>
Previous Fires		<input checked="" type="checkbox"/>	Termite or WDI damage needing repair		<input checked="" type="checkbox"/>
Previous Use of Premises for Manufacture of Methamphetamine		<input checked="" type="checkbox"/>	Single Blockable Main Drain in Pool/Hot Tub/Spa*		<input checked="" type="checkbox"/>

(TAR-1406) 9-01-11

Initialed by: Seller: CS, MA and Buyer: _____

Concerning the Property at Lexington, TX 78947

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary): _____

Previous owner had home treated for termites.

*A single blockable main drain may cause a suction entrapment hazard for an individual.

Section 4. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair, which has not been previously disclosed in this notice? ☐ yes ☒ no If yes, explain (attach additional sheets if necessary): _____

Section 5. Are you (Seller) aware of any of the following (Mark Yes (Y) if you are aware. Mark No (N) if you are not aware.)

Y N

☐ ☒ Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at the time.

☐ ☒ Homeowners' associations or maintenance fees or assessments. If yes, complete the following:

Name of association: _____

Manager's name: _____ Phone: _____

Fees or assessments are: \$ _____ per _____ and are: ☐ mandatory ☐ voluntaryAny unpaid fees or assessment for the Property? ☐ yes (\$ _____) ☐ no

If the Property is in more than one association, provide information about the other associations below or attach information to this notice.

☐ ☒ Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:

Any optional user fees for common facilities charged? ☐ yes ☐ no If yes, describe: _____

☐ ☒ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.

☐ ☒ Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.)

☐ ☒ Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.

☐ ☒ Any condition on the Property which materially affects the health or safety of an individual.

☐ ☒ Any repairs or treatments, other than routine maintenance, made to the Property to remediate environmental hazards such as asbestos, radon, lead-based paint, urea-formaldehyde, or mold.

If yes, attach any certificates or other documentation identifying the extent of the remediation (for example, certificate of mold remediation or other remediation).

☐ ☒ Any rainwater harvesting system connected to the property's public water supply that is able to be used for indoor potable purposes.

If the answer to any of the items in Section 5 is yes, explain (attach additional sheets if necessary): _____

(TAR-1406) 9-01-11

Initialed by: Seller: CS, MA and Buyer: _____, _____

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Concerning the Property at Lexington, TX 78947Section 6. Seller ☐ has ☒ has not attached a survey of the Property.Section 7. Within the last 4 years, have you (Seller) received any written inspection reports from persons who regularly provide inspections and who are either licensed as inspectors or otherwise permitted by law to perform inspections? ☐ yes ☒ no If yes, attach copies and complete the following:

Inspection Date	Type	Name of Inspector	No. of Pages

Note: A buyer should not rely on the above-cited reports as a reflection of the current condition of the Property. A buyer should obtain inspections from inspectors chosen by the buyer.

Section 8. Check any tax exemption(s) which you (Seller) currently claim for the Property:

- ☒ Homestead ☐ Senior Citizen ☐ Disabled
☐ Wildlife Management ☒ Agricultural ☐ Disabled Veteran
☐ Other: _____ ☐ Unknown

Section 9. Have you (Seller) ever received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? ☐ yes ☒ no If yes, explain: _____Section 10. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code? ☒ unknown ☐ no ☐ yes. If no or unknown, explain. (Attach additional sheets if necessary): _____

**Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information.*

A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing-impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing-impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

Seller acknowledges that the statements in this notice are true to the best of Seller's belief and that no person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information.

Christopher Swartz
Signature of Seller

Date

Noelle Swartz
Signature of Seller

10-27-11

Date

Printed Name: Christopher SwartzPrinted Name: Noelle Swartz

(TAR-1406) 9-01-11

Initialed by: Seller: CS, NS and Buyer: _____

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Concerning the Property at _____

Lexington, TX 78947

ADDITIONAL NOTICES TO BUYER:

- (1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit www.txdps.state.tx.us. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.
- (2) If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
- (3) If you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.

- (4) The following providers currently provide service to the property:

Electric: <u>Bluebonnet</u>	phone #: _____
Sewer: <u>Septic</u>	phone #: _____
Water: <u>Aqua</u>	phone #: _____
Cable: <u>Dish Network</u>	phone #: _____
Trash: <u>Can Disposal</u>	phone #: _____
Natural Gas: <u>nl</u>	phone #: _____
Phone Company: <u>Verizon</u>	phone #: _____
Propane: <u>Maass</u>	phone #: _____

- Internet - High Speed - Zoch Net 55/mo.
- (5) This Seller's Disclosure Notice was completed by Seller as of the date signed. The brokers have relied on this notice as true and correct and have no reason to believe it to be false or inaccurate. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY.

The undersigned Buyer acknowledges receipt of the foregoing notice.

Signature of Buyer _____	Date _____	Signature of Buyer _____	Date _____
Printed Name: _____		Printed Name: _____	

**ADDENDUM FOR SELLER'S DISCLOSURE OF INFORMATION
ON LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS
AS REQUIRED BY FEDERAL LAW**CONCERNING THE PROPERTY AT 1077 CR 316Lexington

(Street Address and City)

A. LEAD WARNING STATEMENT: "Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-paint hazards is recommended prior to purchase."

NOTICE: Inspector must be properly certified as required by federal law.

B. SELLER'S DISCLOSURE:

1. PRESENCE OF LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS (check one box only):

☐ (a) Known lead-based paint and/or lead-based paint hazards are present in the Property (explain): _____

☒ (b) Seller has no actual knowledge of lead-based paint and/or lead-based paint hazards in the Property.

2. RECORDS AND REPORTS AVAILABLE TO SELLER (check one box only):

☐ (a) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the Property (list documents): _____

☒ (b) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the Property.

C. BUYER'S RIGHTS (check one box only):

☐ 1. Buyer waives the opportunity to conduct a risk assessment or inspection of the Property for the presence of lead-based paint or lead-based paint hazards.

☐ 2. Within ten days after the effective date of this contract, Buyer may have the Property inspected by inspectors selected by Buyer. If lead-based paint or lead-based paint hazards are present, Buyer may terminate this contract by giving Seller written notice within 14 days after the effective date of this contract, and the earnest money will be refunded to Buyer.

D. BUYER'S ACKNOWLEDGMENT (check applicable boxes):

☐ 1. Buyer has received copies of all information listed above.

☐ 2. Buyer has received the pamphlet *Protect Your Family from Lead in Your Home*.

E. BROKERS' ACKNOWLEDGMENT: Brokers have informed Seller of Seller's obligations under 42 U.S.C. 4852d to:

(a) provide Buyer with the federally approved pamphlet on lead poisoning prevention; (b) complete this addendum; (c) disclose any known lead-based paint and/or lead-based paint hazards in the Property; (d) deliver all records and reports to Buyer pertaining to lead-based paint and/or lead-based paint hazards in the Property; (e) provide Buyer a period of up to 10 days to have the Property inspected; and (f) retain a completed copy of this addendum for at least 3 years following the sale. Brokers are aware of their responsibility to ensure compliance.

F. CERTIFICATION OF ACCURACY: The following persons have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Buyer _____ Date _____

Christopher Swartz 10/27/11
Seller Christopher Swartz Date

Buyer _____ Date _____

Noelle Swartz 10-27-11
Seller Noelle Swartz Date

Other Broker _____ Date _____

Coldwell Banker Pro Unlimited 10/27/11
Listing Broker Lendi Braddock Date

The form of this addendum has been approved by the Texas Real Estate Commission for use only with similarly approved or promulgated forms of contracts. Such approval relates to this contract form only. TREC forms are intended for use only by trained real estate licensees. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not suitable for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 1-800-250-8732 or (512) 459-6544 (<http://www.trec.state.tx.us>)



TEXAS ASSOCIATION OF REALTORS®

INFORMATION ABOUT ON-SITE SEWER FACILITY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.
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CONCERNING THE PROPERTY AT 1077 CR 316
Lexington, TX 78947

A. DESCRIPTION OF ON-SITE SEWER FACILITY ON PROPERTY:

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown
☐ _____
- (2) Type of Distribution System: field lines ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: see attached ☐ Unknown

- (4) Installer: _____ ☒ Unknown
- (5) Approximate Age: _____ ☒ Unknown

B. MAINTENANCE INFORMATION:

- (1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility? ☐ Yes ☒ No
If yes, name of maintenance contractor: _____
Phone: _____ contract expiration date: _____
Maintenance contracts must be in effect to operate aerobic treatment and certain non-standard on-site sewer facilities.)
- (2) Approximate date any tanks were last pumped? 2004
- (3) Is Seller aware of any defect or malfunction in the on-site sewer facility? ☐ Yes ☒ No
If yes, explain: _____

- (4) Does Seller have manufacturer or warranty information available for review? ☐ Yes ☒ No

C. PLANNING MATERIALS, PERMITS, AND CONTRACTS:

- (1) The following items concerning the on-site sewer facility are attached:
☐ planning materials ☐ permit for original installation ☐ final inspection when OSSF was installed
☐ maintenance contract ☐ manufacturer information ☐ warranty information ☐ _____
- (2) "Planning materials" are the supporting materials that describe the on-site sewer facility that are submitted to the permitting authority in order to obtain a permit to install the on-site sewer facility.
- (3) It may be necessary for a buyer to have the permit to operate an on-site sewer facility transferred to the buyer.

D. INFORMATION FROM GOVERNMENTAL AGENCIES: Pamphlets describing on-site sewer facilities are available from the Texas Agricultural Extension Service. Information in the following table was obtained from Texas Commission on Environmental Quality (TCEQ) on 10/24/2002. The table estimates daily wastewater usage rates. Actual water usage data or other methods for calculating may be used if accurate and acceptable to TCEQ.

<u>Facility</u>	<u>Usage (gal/day) without water- saving devices</u>	<u>Usage (gal/day) with water- saving devices</u>
Single family dwelling (1-2 bedrooms; less than 1,500 sf)	225	180
Single family dwelling (3 bedrooms; less than 2,500 sf)	300	240
Single family dwelling (4 bedrooms; less than 3,500 sf)	375	300
Single family dwelling (5 bedrooms; less than 4,500 sf)	450	360
Single family dwelling (6 bedrooms; less than 5,500 sf)	525	420
Mobile home, condo, or townhouse (1-2 bedroom)	225	180
Mobile home, condo, or townhouse (each add'l bedroom)	75	60

This document is not a substitute for any inspections or warranties. This document was completed to the best of Seller's knowledge and belief on the date signed. Seller and real estate agents are not experts about on-site sewer facilities. Buyer is encouraged to have the on-site sewer facility inspected by an inspector of Buyer's choice.

Christopher Swartz 10/27/11
Signature of Seller Date
Christopher Swartz

Noelle Swartz 10-27-11
Signature of Seller Date
Noelle Swartz

Receipt acknowledged by:

Signature of Buyer Date

Signature of Buyer Date

FLOORPLAN

Borrower: b1218920920pher/Noelle Swartz

File No.: 10312041

Property Address: 1077 County Road 316

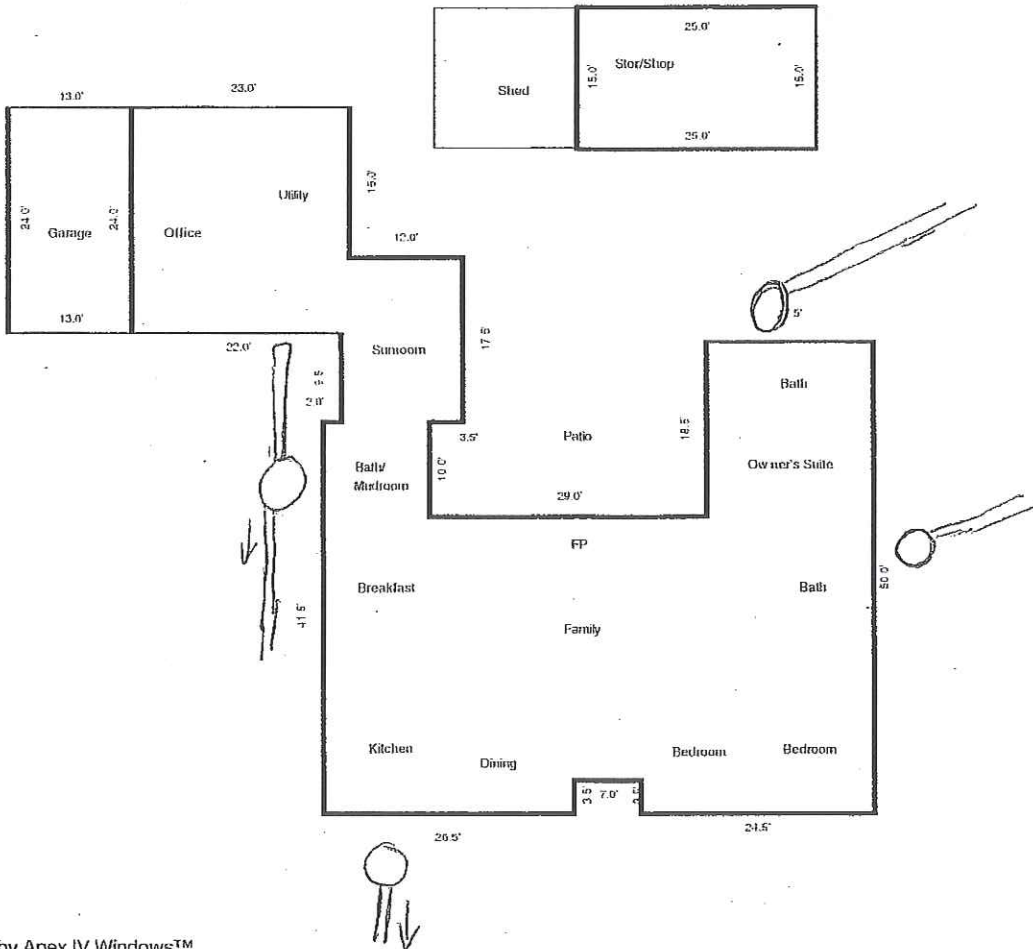
Case No.: 495-8954881

City: Lexington

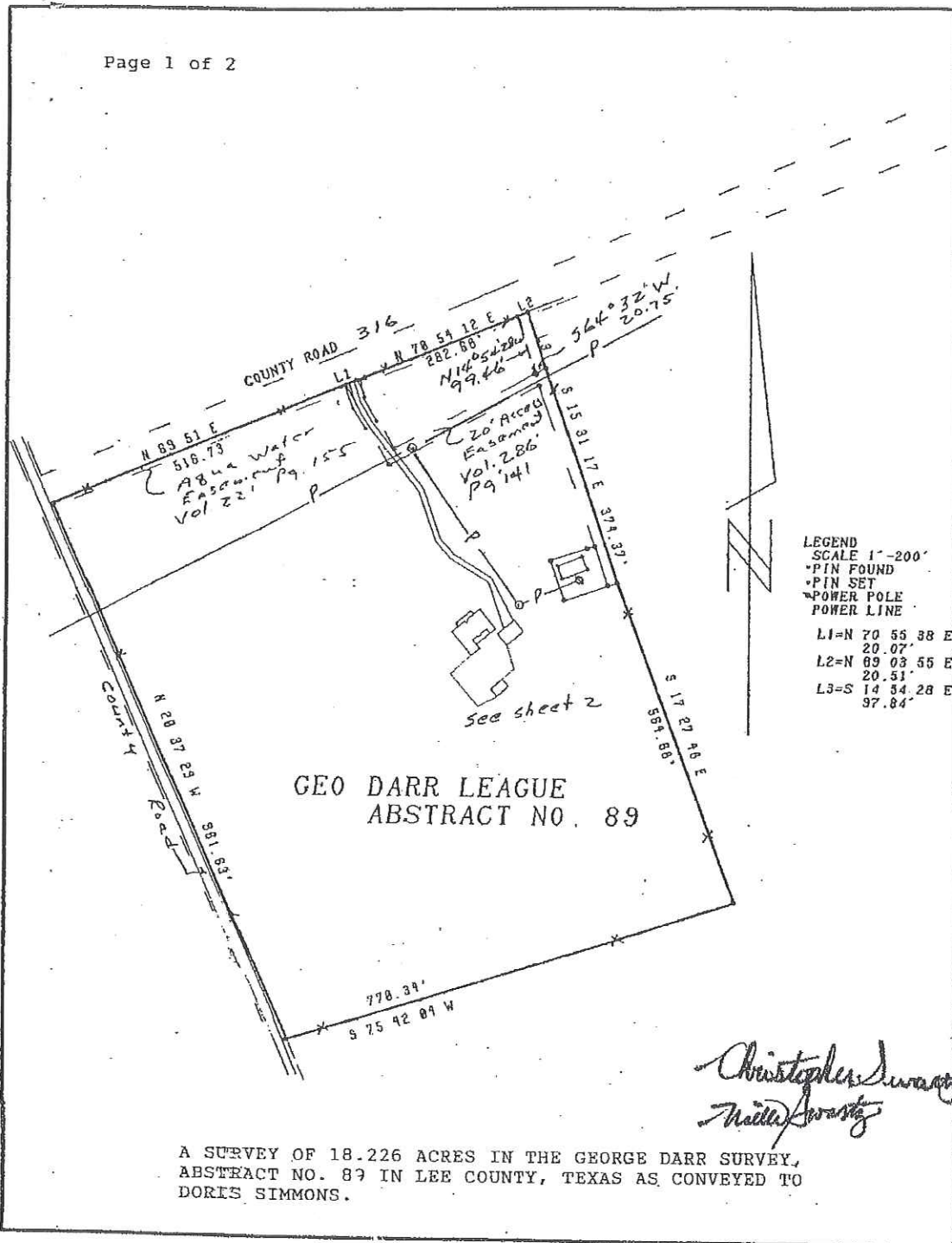
State: TX

Zip: 78947

Lender: Ally Bank

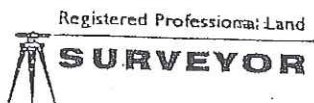


Sketch by Apex IV Windows™



Christopher Swartz
Matthew Swartz

A SURVEY OF 18.226 ACRES IN THE GEORGE DARR SURVEY,
ABSTRACT NO. 89 IN LEE COUNTY, TEXAS AS CONVEYED TO
DORIS SIMMONS.



LEGAL DESCRIPTION	18.226 acre		
VOLUME	PAGE	COUNTY	Lee
ADDRESS	County Road 316		
SURVEY OF Antonio E. Cantu Beth Cantu			

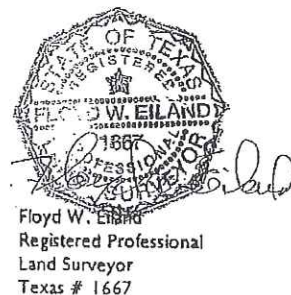
THE STATE OF TEXAS
COUNTY OF LEE

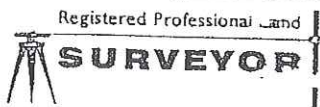
This property is not within a Flood Plain Area.

The undersigned does hereby certify that this survey was made on the ground of the property legally described hereon and is correct, and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines or roads in place, except as shown hereon, and that said property has access to and from a dedicated roadway, except as shown hereon.

As surveyed on the ground June 28, 1995.

Antonio E. Cantu
Job#95F27-16





Floyd W. Eiland
Registered Professional
Land Surveyor
Texas # 1667

328635-BS
2003-1669

Real Property Records
Lee County, Texas
3779 V 0929 P 621

WARRANTY DEED WITH VENDOR'S LIEN

NORTH AMERICAN TITLE
1 CHISHOLM TRAIL, SUITE 3100
ROUND ROCK, TEXAS 78681
(512) 255-6550

Date: October 17, 2003

Grantor: ANTONIO E. CANTU and wife, CARRIE BETH CANTU

Grantor's Mailing Address (including county):

2142 C.R. 316, Rockdale, TX 76567

Grantee: CHRISTOPHER SWARTZ and wife, NOELLE SWARTZ

Grantee's Mailing Address (including county):

1077 County Road 316, Lexington, Lee County, Texas 78947

RECORDER'S MEMORANDUM:
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Consideration:

Ten and No/100 Dollars and other good and valuable consideration the receipt of which is hereby acknowledged and a note of even date that is in the principal amount of \$168,750.00 and is executed by Grantee, payable to the order of ALETHES, LLC. The note is secured by a vendor's lien retained in favor of ALETHES, LLC in this deed and by a deed of trust of even date from Grantee to ROBERT J. WILSON, Trustee.

Property (including any improvements):

18.226 acres of land, more or less, out of the George Dare League, Abstract Number 89, Lee County, Texas, being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

Subject to the easements, assessments, restrictions, mineral interests, covenants and conditions of record against the hereinbefore described property, if any.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

ALETHES, LLC, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described. The vendor's lien and superior title to the property are retained for the benefit of ALETHES, LLC and are transferred to that party without recourse on Grantor.

When the context requires, singular nouns and pronouns include the plural.


ANTONIO E. CANTU


CARRIE BETH CANTU

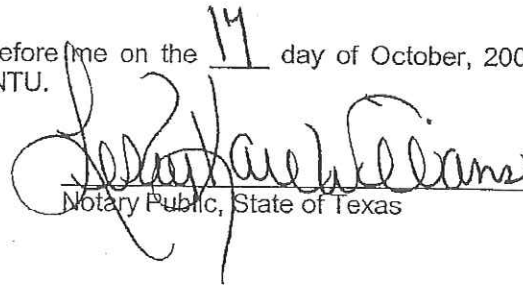
THE STATE OF TEXAS

COUNTY OF WILLIAMSON

This instrument was acknowledged before me on the 17 day of October, 2003 by ANTONIO E. CANTU and CARRIE BETH CANTU.

(SEAL)




Notary Public, State of Texas

AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:

Wilson, Sterling & Russell, L.L.P.
9951 Anderson Mill Road, Suite 200
Austin, Texas 78750

7910.196

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FIELD NOTES

FIELD NOTES OF 18.226 ACRES OF LAND IN THE
GEORGE DARR SURVEY, ABSTRACT NO. 89 IN LEE
COUNTY, TEXAS AND BEING A PART OF A 18.434
ACRE TRACT OUT OF A 139.714 ACRE TRACT
CONVEYED TO MELVIN HEINZE AND WIFE, RUBY
HEINZE AND RECORDED IN VOLUME 216, PAGE 161 OF
THE DEED RECORDS OF LEE COUNTY, TEXAS AND
BEING THE SAME TRACT CONVEYED TO DORIS SIMMONS
AND RECORDED IN THE DEED RECORDS OF LEE
COUNTY, TEXAS AND BEING MORE PARTICULARLY
DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a $\frac{1}{2}$ inch steel pin found on the south margin of
County Road 316 for the northeast corner of the said 18.434
acre tract and the northeast corner of this 18.226 acre
tract, said point bears South $71^{\circ} 10'$ West 745.91 feet from a
point on the west margin of Highway No. 112 and the south
margin of County Road 316;

THENCE with the east margin of a 0.046 acre 20 foot wide
Access Easement and the east fence line of the 18.434 acre
tract and the east line of this 18.226 acre tract, South 14°
 $54' 28''$ East for 97.84 feet to a $\frac{3}{4}$ inch steel found for the
corner of a 0.356 acre Aqua Water Supply Corporation Access
Easement;

THENCE continuing with the east line of the said 18.434 acre
tract and the east margin of the 0.356 acre Aqua Water Supply
Corporation Access Easement, South $15^{\circ} 31' 17''$ East for
374.37 feet to a $\frac{3}{4}$ inch steel pin found at the southeast
corner of this Access Easement and an angle corner of this
18.226 acre tract;

THENCE with the east line of the 18.346 acre tract and the
east line of this 18.226 acre tract, South $17^{\circ} 27' 48''$ East
for 564.88 feet to a $\frac{1}{2}$ inch steel pin set for the southeast
corner of the 18.346 acre tract and the southeast corner of
this 18.226 acre tract;

THENCE with the south fence line of the 18.346 acre tract and
the south line of this 18.226 acre tract, South $75^{\circ} 42' 04''$
West for 770.34 feet to a $\frac{1}{2}$ inch steel pin found at a fence
corner on the east margin of a county road for the southwest
corner of the 18.346 acre tract and the southwest corner of
this 18.226 acre tract;

THENCE with the east margin of said county road, North 20°
 $37' 29''$ West for 961.63 feet to a $\frac{3}{4}$ inch steel pin found on
the south margin of County Road 316 for the northwest corner

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of the 18.346 acre tract and the northeast corner of this 18.226 acre tract;

THENCE with the south margin of County Road 316 and the north line of the 18.346 acre tract, North 69° 51' East for 516.73 feet to a 3/4 inch steel pin found for the northwest corner of a 20 foot wide Access Easement for the Aqua Water Supply Corporation;

THENCE with the south margin of County Road 316 and the north line of the said 20 foot wide Access Easement for the Aqua Water Supply Corporation and the north line of the 18.346 acre tract and the north line of this 18.226 acre tract, North 70° 55' 38" East for 20.07 feet to a 3/4 inch steel pin found for the northeast corner of the 20 foot wide Access Easement;

THENCE continuing with the south margin of County Road 316 and the north fence line of the 18.346 acre tract and the north line of this 18.226 acre tract, North 70° 54' 12" East for 282.68 feet to a 3/4 inch steel pin found for the west margin of a 20 foot wide drive;

THENCE continuing across said 20 foot wide drive, North 69° 03' 55" East for 20.51 feet to the Point of Beginning containing 18.346 acres less a 0.1205 acre tract conveyed to Aqua Water Supply Corporation and recorded in Volume 286, Page 141 of the Deed Records of Lee County, Texas, for a net acreage of 18.226 acres in this tract;

Said 0.1205 acre Aqua Water Supply Corporation tract is described as COMMENCING at a 1/2 inch steel pin found on the south margin of County Road 316 for the northeast corner of the said 18.434 acre tract and the northeast corner of this 18.226 acre tract, thence with the east margin of a 20 foot wide driveway, South 14° 54' 28" East 97.84 feet to a 3/4 inch steel pin found for the corner of the 20 foot wide Aqua Water Supply Corporation Access Easement, thence along the east line of the said Aqua Water Supply Corporation Access Easement and the east line of this 18.226 acre tract, South 15° 31' 17" East 374.37 feet to a 3/4 inch steel pin found for the southeast corner of the Aqua Water Supply Access Easement, thence South 74° 24' West 17.00 feet to a 3/4 inch steel pin found for the southeast corner of the 0.1205 acre Aqua Water Supply Corporation tract for the POINT OF BEGINNING;

THENCE with the south line of the 0.1205 acre Aqua Water Supply Corporation tract, South 74° 24' West for 75.00 feet to 3/4 inch steel pin found for the southwest corner of the 0.1205 acre Aqua Water Supply Corporation tract;

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THENCE with the west line of the 0.1205 acre Aqua Water Supply Corporation tract, North 15° 36' West 70.00 feet to a 3/4 inch steel pin found for the northwest corner of the 0.1205 acre Aqua Water Supply Corporation tract;

THENCE with the north line of the 0.1205 acre Aqua Water Supply Corporation tract, North 74° 24' East, at 72.00 feet pass a 1/2 inch steel found for a corner of the 20 foot wide

Aqua Water Supply Corporation Access Easement for a total distance of 75.00 feet to a 1/2 inch steel pin found for the northeast corner of the 0.1205 acre Aqua Water Supply Corporation tract;

THENCE with the west margin of Aqua Water Supply Corporation Access Easement and the east line of the 0.1205 acre Aqua Water Supply Corporation tract, South 15° 36' East for 75.00 feet to the Point of Beginning.

20 FOOT WIDE ACCESS EASEMENT #1

COMMENCING at a 1/2 inch steel pin found on the south margin of County Road 316, thence with the south margin of County Road 316 and the north fence line of the said 18.434 acre tract and the north line of this 18.226 acre tract, South 69° 03' 55" West 20.51 to a 3/4 inch steel in found, South 70° 55' 38" West 282.66 feet to a 3/4 inch steel pin found on the south margin of County Road 316 for the northeast corner of 20 foot wide Access Easement for the POINT OF BEGINNING;

THENCE with the east margin of this 20 foot wide Access Easement, South 19° 10' East for 128.85 feet to a 3/4 inch steel pin found;

THENCE with the north margin of this 20 foot wide Access Easement, North 64° 32' East for 284.24 feet to a 3/4 inch steel pin found on the east fence line of the 18.434 acre tract and the east line of this 18.226 acre tract for a corner;

THENCE with the east margin of this 20 foot wide Access Easement and the east fence line of the 18.434 acre tract and the east line of this 18.226 acre tract, South 15° 31' 17" East for 374.37 feet to a 3/4 inch steel pin found for the southeast corner of this Access Easement;

THENCE with the south margin of said Access Easement, South 74° 24' West for 17.00 feet to a 3/4 inch steel pin for the southeast corner of the 0.1205 acre Aqua Water Supply Corporation tract and the southwest corner of the Aqua Water Supply Corporation Access Easement;

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THENCE with the west margin of the Aqua Water Supply Corporation Access Easement and the east line of the 0.1205 acre Aqua Water Supply Corporation tract, North 15° 36' West for 75.00 feet to a $\frac{1}{2}$ inch steel pin found for the northeast corner of the 0.1205 acre Aqua Water Supply Corporation tract and a corner of this Access Easement;

THENCE with the north line of the 0.1205 acre Aqua Water Supply Corporation tract and the line of this Access Easement, South 74° 24' East for 3.00 feet to $\frac{1}{2}$ inch steel pin found for the corner of this 20 foot wide Access Easement;

THENCE with the west line of this 20 foot wide Access Easement, North 15° 31' 17" West for 280.56 feet to a $\frac{3}{4}$ inch steel pin found for an angle corner of this 20 foot wide Access Easement;

THENCE parallel with the existing LCRA power line easement and the south line of the 20 foot wide Access Easement, South 64° 32' West for 280.57 feet to a $\frac{3}{4}$ inch steel pin found for an angle corner of this 20 foot wide Access Easement, North 19° 10' West for 151.00 feet to a $\frac{3}{4}$ inch steel pin found on the south margin of County Road 316 and the north line of the 18.434 acre tract and the north line of this 18.226 acre tract for the northwest corner of this 20 foot wide Access Easement;

THENCE with the south margin of County Road 316 and the north line of the 20 foot wide Access Easement and the north line of this 18.226 acre tract, North 70° 55' 38" East for 20.07 feet to the POINT of BEGINNING;

20 FOOT WIDE ACCESS EASEMENT #2

BEGINNING at a $\frac{1}{2}$ inch steel pin found on the south margin of County Road 316 for the northeast corner of the said 18.434 acre tract and the northeast corner of this 18.226 acre tract for the northeast corner of this 20 foot wide Access Easement for the Point of Beginning;

THENCE with the east fence line of the 18.434 acre tract and the east line of the 18.226 acre tract and the east line of this 20 foot wide Access Easement, South 14° 54' 28" East for 97.84 feet to a $\frac{3}{4}$ inch steel pin found for the corner of the Aqua Water Supply Corporation Access Easement and the southeast corner of this Access Easement;

THENCE with the north margin of the said Aqua Water Supply Corporation Easement and the south margin of this Access Easement, South 64° 32' West for 20.75 feet to a $\frac{1}{2}$ inch steel pin for the southwest corner of this Access Easement;

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THENCE with the west margin of this 20 foot wide Access Easement, North 15° 31' 17" West for 99.46 feet to a 3/4 inch steel pin found on the south margin of County Road 316 for the northwest corner of this Access Easement;

THENCE with the south margin of County Road 316 and the north line of the 18.434 acre tract and the north line of this 18.226 acre tract, North 69° 03' 55" East for 20.51 feet to the POINT OF BEGINNING.

As surveyed on the ground June 28, 1995.

Floyd W. Eiland

Antonio Cantu
Job#95F27-16

Floyd W. Eiland
Reg. Professional
Land Surveyor
Texas #1667



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10/22/2003 01:50p IB
3779 V 0929 P 0627
Filed and Recorded
Carol Jaehne Dismukes
County Clerk
Lee County, Texas

